

Jan 13, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

KATHLEEN S.<sup>1</sup>,

Plaintiff,

vs.

ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:19-CV-00216-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

**ECF Nos. 14, 18**

Before the Court is the Stipulated Motion for Remand, ECF No. 18, filed by Defendant, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney D. James Tree represents Plaintiff. Attorney Martha Boden

<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names.

1 represents Defendant. The parties have consented to proceed before a magistrate  
2 judge. ECF No. 7.

3 After consideration, **IT IS HEREBY ORDERED** that:

4 1. The parties' Stipulated Motion for Remand, **ECF No. 18**, is **GRANTED**.

5 2. The above-captioned case be **REVERSED** and **REMANDED** to the  
6 Commissioner of Social Security for further administrative proceeding pursuant to  
7 sentence four of 42 U.S.C. § 405(g).

8 On remand, the parties stipulate that the ALJ will:

- 9 (1) Take any steps necessary to fully develop the administrative record;  
10 (2) Issue a new decision;  
11 (3) Conduct a de novo hearing, if a fully favorable decision cannot be issued  
12 on the record;  
13 (4) Reevaluate whether the severity of Plaintiff's impairments meet or equal  
a listed impairment, including under Listing 1.02 and 1.04;  
14 (5) Reevaluate the opinion evidence;  
15 (6) Reevaluate the residual functional capacity; and  
16 (7) Obtain supplemental vocational expert evidence, if necessary.

17 ECF No. 18 at 1-2.

18 3. Judgment shall be entered for **PLAINTIFF**.

19 4. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is **STRICKEN**  
20 **AS MOOT**.

5. Upon proper presentation, this Court consider Plaintiff's application for  
fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

1           The District Court Executive is directed to enter this Order, **enter**  
2 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

3           DATED January 13, 2020.

4                               s/Mary K. Dimke  
5                               MARY K. DIMKE  
6                               UNITED STATES MAGISTRATE JUDGE  
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